

**CITY COUNCIL OF THE CITY OF SAN DIEGO
CLOSED SESSION DOCKET
FOR
MONDAY, SEPTEMBER 11, 2006
CITY ADMINISTRATION BUILDING
COMMITTEE ROOM – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

NOTE: In accordance with the San Diego City Council Permanent Rule for Noticing and Conduct of Closed Session Meetings, adopted on February 28, 2005, a portion of the regular open meeting agenda of the City Council has been reserved for City Attorney comment, public comment, and City Council discussion of the content of this Closed Session Docket. **Public testimony for this Closed Session Agenda will be taken today during the 2:00 p.m. Council meeting.**

Conference with Legal Counsel - existing litigation, pursuant to California Government Code Section 54956.9(a):

**CS-1 *Sonja Blevins, et al. v. City of San Diego*
San Diego Superior Court Case No. GIC853685**

DCA assigned: J.M. Boardman

This matter involves a wrongful death due to dangerous conditions and nuisance action brought by the surviving wife and two daughters of Scot Blevins. Mr. Blevins was killed when a eucalyptus tree growing on city-owned open space land in Scripps Ranch fell and struck the cab of his truck. The City Attorney requests that the Mayor and City Council consider the Plaintiffs' recent Offer of Compromise pursuant to CCP § 998 in closed session.

**CS-2 *Save Our Forest and Ranchlands v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 864298**

CDCA assigned: H. Carlyle

This is an update on a petition for writ of mandate filed by a citizens group known as Save Our Forest and Ranchlands challenging the City's compliance with the California Environmental Quality Act [CEQA] in its February 28, 2006 approvals of the Downtown Community Plan and subsequent implementing ordinances. Pursuant to mandatory CEQA requirements, a settlement conference was conducted and settlement discussions have continued. The merits of the writ and the status of the settlement negotiations will be presented to the Council.

**CS-3 *Save Our Heritage Organization v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 865774**

DCA assigned: H. Carlyle

This is an update on a petition for writ of mandate filed by a citizens group known as Save Our Heritage Organization challenging the City's compliance with the California Environmental Quality Act [CEQA] in its February 28, 2006 approvals of the Downtown Community Plan and subsequent implementing ordinances. Pursuant to mandatory CEQA requirements, a settlement conference was conducted and settlement discussions have continued. The merits of the writ and the status of the settlement negotiations will be presented to the Council.

**CS-4 *County of San Diego v. Redevelopment Agency of the City of San Diego, et al.*
San Diego Superior Court Case No. GIC 850259**

DCA assigned: G. Spitzer

This litigation regards the validity of City Council's adoption of the Grantville Redevelopment Plan, Ordinance No. O-19380. In closed session the City Attorney will provide a status of the litigation pursuant to the City Council's request.

**CS-5 *Friends of Fox Canyon Park v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 864623**

DCA assigned: M. Dickenson

This matter involves a California Environmental Quality Act case which challenges the City Council's approval of a Mitigated Negative Declaration. The City Attorney requests that the Mayor and City Council consider possible settlement of this case in closed session.

**CS-6 *Linda Morgan and Renee Hill v. City of San Diego*
San Diego Superior Court Case No. GIC 849127**

DCA assigned: M. Stiffler

This employment discrimination lawsuit is brought by two detectives who allege retaliation by their superiors in the San Diego Police Department. In closed session, the City Attorney will update the Council on the status of the litigation and recommend that Council approve an offer to settle the case.

**CS-7 *Sumaiyah Alazzawi v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 858179**

DCA assigned: M. Stiffler

This employment discrimination lawsuit is brought by a former seasonal lifeguard who alleges she was subject to sexual harassment, retaliation, and a constructive discharge by several other lifeguards. The parties engaged in mediation, and believe they have reached an appropriate settlement. In closed session, the City Attorney will update Council on the status of the litigation and recommend approval of the proposed settlement.

**CS-8 *Howard DeYoung, et al. v. City of San Diego, et al.*
San Diego Superior Court Case No. GIC 849647**

DCA assigned: J. Riley

This case involves an alleged violation of a 1983 settlement agreement. In closed session, the City Attorney will update the City Council on the matter and seek direction.

**CS-9 *Michael Shames v. City of San Diego*
San Diego Superior Court Case No. GIC 831539**

DCA assigned: J. Riley

This case involves an alleged over billing of single family sewer customers in violation of the State Constitution and a breach by the City of San Diego of loan and grant contracts from the State of California and the Federal Government. In closed session the City Attorney will update the Mayor and City Council on the matter and seek direction.

Conference with Labor Negotiator, pursuant to Government Code Section 54957.6:

CS-10 Agency Negotiator: Scott Chadwick, J. Rod Betts, Lisa Briggs, Rich Snapper,
Jessica Falk Michelli William Gersten, Joe Harris, Rick
Reynolds

Employee Organizations: Municipal Employees Association, Local 145 International
Association of Firefighters AFL-CIO, San Diego Police
Officers Association, Deputy City Attorney Association,
AFSCME Local 127

DCA assigned: J. Falk Michelli

Discuss with Council the negotiations with all five labor unions (Municipal Employees Association, AFSCME Local 127, Police Officers Association, International Association of Firefighters Local 145, and the Deputy City Attorney's Association) regarding the implementing ordinances for the Mayor's Ballot proposals that would allow for the managed competition of certain City services and also require voter approval for enhancements to employee pension benefits.